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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,788	03/19/2004	Yoshiyuki Suzuri	KOT-0093	7727
23413 7590 07/01/2008 CANTOR COLBURN, LLP 20 Church Street 22nd Floor Hartford, CT 06103				
EXAMINER GARRETT, DAWN L				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
07/01/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/804,788

Applicant(s)

SUZURI ET AL.

Examiner

Dawn Garrett

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 20, 22-28 and 30-58 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-17, 22, 23, 26, 27, 30, 31 and 34-58 is/are allowed.
6) ☒ Claim(s) 20, 24, 25, 28, 32 and 33 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office action is responsive to the amendment filed April 4, 2008. Claim 27 was amended. Claims 18, 19, 21 and 29 are canceled. Claims 1-17, 20, 22-28, and 30-58 are pending. The species requirement is now withdrawn, because the arylamine formulas 4-1 and 4-2 of the independent claims have been found allowable within the context of independent claims 1 and 27; however, arylamine formulas 4-1 and 4-2 do not appear to be generic to arylamine formulas 2, 7 and 9 of the dependent claims as set forth in the 35 U.S.C. 112, 2nd paragraph rejection below.
2. The rejection of claim 19 under 35 U.S.C. 112, second paragraph, as set forth in the last Office action (mailed 1/22/2008) is withdrawn due to the cancellation of claim 19.
3. The rejection of claims 1-6, 8-13, 19, 27, 29, 35-40, 42-47, 52-55, 57 and 58 under 35 U.S.C. 103(a) as being unpatentable over Mishima (US 2001/0053462 A1) in view of Thoms et al. (US 2003/0205696 A1) and Ueda et al. (US 2002/0094452) is withdrawn due to applicant's persuasive arguments with respect to Ueda et al. and instant formulas 4-1 and 4-2.
4. The rejection of claims 7 and 41 under 35 U.S.C. 103(a) as being unpatentable over Mishima (US 2001/0053462 A1) in view of Thoms et al. (US 2003/0205696 A1) and Ueda et al. (US 2002/0094452) and Oshiyama et al. (EP 1267428 A2) is withdrawn.
5. The rejection of claim 56 under 35 U.S.C. 103(a) as being unpatentable over Mishima (US 2001/0053462 A1) in view of Thoms et al. (US 2003/0205696 A1) and Ueda et al. (US 2002/0094452) in further view of Ogo et al. (US 6,608,748) is withdrawn.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 20, 24, 25, 28, 32, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20 depends upon claim 1. Claim 20 appears to define a triarylamine compound that is broader than Formulas 4-1 or 4-2 set forth in independent claim 1 and accordingly, claim 19 is unclear with regard to whether it encompasses compounds other than 4-1 and 4-2 of the parent claim. Formula 2 of claim 20 allows for “B” to be a heterocyclic ring. In formulas 4-1 and 4-2 of parent claim 1, all of the rings bonded to the nitrogen are specifically substituted phenyl rings. Clarification and/or correction are required.

Claim 24 depends upon claim 1. Claim 24 appears to define a triarylamine compound that is broader than Formulas 4-1 or 4-2 set forth in independent claim 1 and accordingly, claim 24 is unclear with regard to whether it encompasses compounds other than 4-1 and 4-2 of the parent claim. Formula 7 of claim 24 allows for “B₂” to be a nitrogen-containing heterocyclic ring. In formulas 4-1 and 4-2 of parent claim 1, all of the rings bonded to the nitrogen are specifically substituted phenyl rings. Clarification and/or correction are required.

Claim 25 depends upon claim 1. Claim 25 appears to define a triarylamine compound that is broader than Formulas 4-1 or 4-2 set forth in independent claim 1 and accordingly, claim 25 is unclear with regard to whether it encompasses compounds other than 4-1 and 4-2 of the parent claim. Formula 9 of claim 25 allows for allows for substituents in an ortho position on the

phenyl rings that are attached to the nitrogen atom. In formulas 4-1 and 4-2 of parent claim 1, only a hydrogen may be at the ortho position on the phenyl rings that are attached to the nitrogen atom. Clarification and/or correction are required.

Claim 28 depends upon claim 27. Claim 28 appears to define a triarylamine compound that is broader than Formulas 4-1 or 4-2 set forth in independent claim 27 and accordingly, claim 28 is unclear with regard to whether it encompasses compounds other than 4-1 and 4-2 of the parent claim. Formula 2 of claim 28 allows for “B” to be a heterocyclic ring. In formulas 4-1 and 4-2 of parent claim 27, all of the rings bonded to the nitrogen are specifically substituted phenyl rings. Clarification and/or correction are required.

Claim 32 depends upon claim 27. Claim 32 appears to define a triarylamine compound that is broader than Formulas 4-1 or 4-2 set forth in independent claim 27 and accordingly, claim 32 is unclear with regard to whether it encompasses compounds other than 4-1 and 4-2 of the parent claim. Formula 7 of claim 32 allows for “B₂” to be a nitrogen-containing heterocyclic ring. In formulas 4-1 and 4-2 of parent claim 27, all of the rings bonded to the nitrogen are specifically substituted phenyl rings. Clarification and/or correction are required.

Claim 33 depends upon claim 27. Claim 33 appears to define a triarylamine compound that is broader than Formulas 4-1 or 4-2 set forth in independent claim 27 and accordingly, claim 33 is unclear with regard to whether it encompasses compounds other than 4-1 and 4-2 of the parent claim. Formula 9 of claim 33 allows for allows for substituents in an ortho position on the phenyl rings that are attached to the nitrogen atom. In formulas 4-1 and 4-2 of parent claim 27, only a hydrogen may be at the ortho position on the phenyl rings that are attached to the nitrogen atom. Clarification and/or correction are required.

Allowable Subject Matter

8. Claims 1-17, 22, 23, 26, 27, 30, 31, and 34-58 are allowed. The prior art fails to teach or to render obvious compounds according to specifically substituted formulas 4-1 and 4-2 in a hole transporting layer of a device according to either independent claim 1 or independent claim 27. Claims 20, 24, 25, 28, 32, and 33 are rejected under 35 U.S.C. 112, second paragraph, as set forth above and are not indicated as allowable at the present time, because it is unclear if the dependent claims are intended to comprise formulas outside the scope of formulas 4-1 and 4-2 of the independent claims, which may not include allowable subject matter.

Response to Arguments

9. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dawn Garrett/
Primary Examiner, Art Unit 1794

June 26, 2008